IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4448 OF 2005

Shri.Ashok Eknath Mane .. Petitioner
V/s
Sou.Lata Sayaji Shinde & Ors. .. Respondents

Mr.Umesh R.Mankapure for the Petitioner.
Mr.P.P.Jadhav for the Respondents.

CORAM : DR.S.RADHAKRISHNAN J.

DATE : 21st April, 2007.

P.C.:

1. Heard the learned Counsel for the parties. By this petition the Petitioner is challenging the order dated 8th April, 2005 passed by the learned Addditional District Judge, Sangli refusing to condone 31 days delay in filing the appeal. Perused the said order. The learned Additional District Judge has observed that the Petitioner had not produced any medical certificate to substantiate that he was ill or that he was bed ridden. In fact, the case of the Petitioner is that the said medical certificate was lying with the learned Advocate and the same could not be produced on that date before the learned Additional District Judge.

2. The learned Counsel for the Petitioner appearing before this Court is however unable to produce such a medical certificate. It must be noted here that, if there was such a medical certificate then the xerox copy of the same would have been annexed to the present Petition. The case of the Petitioner that there was a

medical certificate, appears to be totally false. I do not find anything erroneous or any illegality in the order of the learned Additional District Judge refusing to condone the delay. Hence, the Petition stands dismissed.

(DR.S.RADHAKRISHNAN,J.)